

20. (Amended) The method of CLAIM 16, wherein said step of (c) comprises the step of:

(c1) lifting said geometrically-shaped planar substrate approximately waist-high.

21. (Amended) The method of CLAIM 16, wherein said step of (c) further comprises the steps of:

(c1) securing a first pair of said four expandable corners by placing a pair of hands in a first respective pair of said oblong apertures and lifting said geometrically-shaped planar substrate; and,

(c2) placing a pair of hands in a second pair of said oblong apertures and lift said geometrically-shaped planar substrate.

REMARKS

Claims 1 - 21 are in the case; Claims 1, 4 - 7, 16, 19, 20 and 21 have been amended; and, Claims 2, 3, 17 and 18 have been canceled.

It is believed that no additional filing fees are due; however, should there be an error and additional fees are due, please charge such fees to **DEPOSIT ACCOUNT NO. 02-2872**.

The application was filed with an informal drawing which is acceptable for examination purposes until such time as allowable subject matter is indicated. The Examiner's objections to the drawing are noted. Upon indication of allowable subject matter, a new drawing will be filed with the necessary changes incorporated therein. The drawing was objected to under 37 CFR §1.83(a) because

"the securing of the 2nd pair of expandable corners by hooking members and the placing of hands in the 2nd pair of oblong apertures to lift the substrate" recited in Claim 21 is not shown in the drawing. Claim 21 has been amended to remove any feature (i.e., hooking members) not shown in the drawing so as to overcome this ground for objection (FIGURE 6 illustrates placing of hands in both pairs of oblong apertures to lift the substrate).

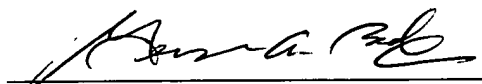
The Examiner rejected Claim 21 under 35 U.S. Code § 112, second paragraph, as being "indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." It is submitted that Claim 16 (which now incorporates the limitations of original Claim 21 and any intervening claims) and Claim 21 have been amended with proper antecedent to now be definite.

The Examiner rejected Claims 1 - 2 and 5 - 6 under 35 U.S. Code § 103(a): as being "unpatentable by Hahn 4,500,129 in view of Osborn 4682447 (Sic)"; and, Claims 16 - 20, as being "unpatentable by in (Sic) Payne 5743636 in view of Hahn 4,500,129 and Osborn 4580372 (Sic)." The Examiner further objected to Claims 3 - 4, 7 and 21 "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Finally, the Examiner has allowed Claims 8 - 15. Claim 1, the rejected independent apparatus claim, has been amended to include the limitations of allowable Claim 3, and all the limitations of any intervening claims (Claim 2). Independent Claim 16, the

rejected independent method claim, has been amended to include the limitations of allowable Claim 21, and all the limitations of any intervening claims (Claims 17 and 18).

Based on the above amendments and remarks, it is submitted that all of the claims remaining in the case are now allowable and an early Notice of the same is respectfully solicited. If the Examiner feels a telephone conference will in any way expedite the disposition of this matter, he is respectfully invited to contact this attorney at (504) 861-8288.

Respectfully submitted,
Ralph HEIDLER and Walter RIDDLE
(A Florida Partnership), Assignee




George A. Bode
Reg. No. 30,028
BODE & ASSOCIATES, P.C.
2314 Broadway
New Orleans, Louisiana 70125-4128
Telephone: (504) 861-8288
Facsimile: (504) 866-6717

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to:

Commissioner of Patents and Trademarks
WASHINGTON, D.C. 20231-9988

on April 24, 2001.



George A. Bode, Reg. No. 30,028
Applicant's Registered Representative

24 April 2001
Date of Signature

APPENDIX

IN THE CLAIMS:

The marked up version of the amendment pursuant to 37 C.F.R. Section 1.121(b)(1)(iii) is set forth below:

Marked-up Version

1. (Amended) A flexible mixing mat comprising:
 - (a) a geometrically-shaped planar substrate having four corner areas;
 - (b) four expandable corners coupled to said four corner areas, respectively; and,
 - (c) handle means formed in a respective one of said four expandable corners from which said geometrically-shaped planar substrate is adapted to be lifted, said handle means comprising: oblong apertures wherein a respective oblong aperture is formed in a respective one of said four expandable corners, each corner area of said four corner areas of said geometrically-shaped planar substrate has formed therein a triangularly-shaped notch having an apex located a distance from an edge of said geometrically-shaped planar substrate; and,
wherein each expandable corner of said four

expandable corners comprises a pleated flexible member expandable greater than said triangularly-shaped notch, wherein said pleated flexible member has formed therein said respective oblong aperture and wherein a center of a longitudinal length of said oblong aperture is substantially aligned with said apex.

Cancel Claims 2 - 3.

4. (Amended) The mat of CLAIM 1 [3], wherein said geometrically-shaped planar substrate is rectangularly shaped and said triangularly-shaped notch is an acute angle notch having one leg perpendicular to a short edge of said geometrically-shaped planar substrate.

5. (Amended) The mat of CLAIM 1 [2], wherein said geometrically-shaped planar substrate is made of flexible and waterproof material.

6. (Amended) The mat of CLAIM 1 [2], wherein said geometrically-shaped planar substrate is made of tarpaulin material.

7. (Amended) The mat of CLAIM 1 [2], wherein each corner area of said four corner areas of said geometrically-shaped planar substrate has formed therein a triangularly-shaped notch having an apex a distance from an edge of said geometrically-shaped planar substrate wherein said apex of said triangularly-shaped notch of said each corner area of said four corner areas

is adapted to create a folding point and wherein pairs of said apexes form folding lines.

16. (Amended) A method of mixing using a flexible mixing mat comprising a geometrically-shaped planar substrate having four corner areas; four expandable corners coupled to said four corner areas, respectively; and, handle means formed in a respective one of said four expandable corners and comprising oblong apertures wherein a respective oblong aperture is formed in a respective one of said four expandable corners, said method comprising the steps of:

(a) placing a given amount of a first ingredient of a mixture substantially in a center of said geometrically-shaped planar substrate;

(b) adding a given amount of a second ingredient to said first ingredient to create a mixture, said first ingredient being a dry pre-blended cement composition, and, said second ingredient being water, said mixture being a slurry and said mixed mixture being cement;

(c) lifting said geometrically-shaped planar substrate by said handle means of each expandable corner, said lifting step further comprising the steps of:

(c1) securing a first pair of said four expandable corners by a first respective pair of said oblong apertures; and,

(c2) securing a second pair of said oblong apertures and lifting said geometrically-shaped planar substrate; [and,]

(d) agitating said geometrically-shaped planar substrate until substantially said mixture of said first and second ingredients is substantially dissolved or homogenous forming a mixed mixture; and,

(e) tilting said geometrically-shaped planar substrate and pouring the mixed substance.

Cancel Claims 17 and 18.

19. (Amended) The method of CLAIM 16 [18], wherein said step of (d) includes the steps of:

(d1) rolling said slurry from one end of said geometrically-shaped planar substrate to another end thereof by lifting said one end above said another end; and,

(d2) rolling said slurry by rotating at least a pair of said four expandable corners from one side of said geometrically-shaped planar substrate to another side thereof.

20. (Amended) The method of CLAIM 16 [18], wherein said step of (c) comprises the step of:

(c1) lifting said geometrically-shaped planar substrate approximately waist-high.

21. (Amended) The method of CLAIM 16 [18], wherein said step of (c) further comprises the steps of:

(c1) securing a first pair of said four expandable corners by placing a pair of hands in a first respective pair of said oblong apertures [on hooking members] and lifting said geometrically-shaped planar substrate;
and,

(c2) placing a pair of hands in a second pair of said oblong apertures and lift said geometrically-shaped planar substrate.